



HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

BENNIE G. THOMPSON
SECOND DISTRICT
MISSISSIPPI

January 18, 2011

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The Honorable Barack H. Obama
President, United States of America
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear President Obama:

I, as well as a few prominent citizens in the DC area, have written a letter to Attorney General, Eric H. Holder, Jr. relative to reinstatement to the District of Columbia Bar for Mr. William Borders. Mr. Borders was granted an official Pardon by former President William Clinton, but has been denied the right to practice his profession.

The Justice Department's response to these entreaties was--"the Justice Department does not have authority to determine criteria for admission to practice law in any jurisdiction, or to direct the courts to take particular action in a given case."

The failure to grant Mr. Borders reinstatement rights to the DC Bar, on the surface, appears counter to the tenets of those benefits assumed accorded to an individual under the grant of a Presidential Pardon. More importantly, it appears to be an affront and abridgment of the constitutionally granted Presidential Pardon authority, as well as an obstruction and obfuscation of those powers.

Mr. Borders has asked that I investigate how best to secure a resolution to his particular issue of reinstatement, but I see his situation in the context of a greater quandary within our judicial system--the recognition of the full faith, force, and effect of the Presidential Pardon. Therefore, I ask that you, and Attorney General Holder look into this as a question of constitutionality -- what is the authority of any court, in this case, the D.C. Court of Appeals and any Bar Counsel, in this case, the DC Bar Counsel, to not honor a Presidential Pardon.

I am available to respond to any questions relative to this request and await your prompt response.

Sincerely,

Bennie G. Thompson
Member of Congress



U. S. Department of Justice

Pardon Attorney

Washington, D.C. 20530

FEB 23 2011

The Honorable Bennie G. Thompson
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Thompson:

Your letter of January 18, 2011 to President Obama has been forwarded to me for response. In your letter, you ask that the President and Attorney General Eric H. Holder, Jr. "look into" the constitutionality of the denial of reinstatement to the District of Columbia bar of William A. Borders, Jr., who received a presidential pardon.

Mr. Borders, then an attorney admitted to practice law in the District of Columbia, was convicted in 1982 in the United States District Court for the Northern District of Georgia of conspiracy to bribe a federal district court judge, obstruction of justice, and traveling interstate with intent to commit bribery. President Clinton pardoned the conviction on January 20, 2001.

Public records indicate that Mr. Borders was suspended from the practice of law in the District of Columbia after his 1982 conviction and disbarred in 1983. His petition for reinstatement was denied by the District of Columbia Court of Appeals in 1995. Mr. Borders's petition to the District of Columbia Court of Appeals contending that he should be automatically reinstated to the bar based on the presidential pardon was denied in May 2002, without prejudice to his filing a petition for reinstatement to the bar, and his petition for rehearing *en banc* was denied in April 2003. The U.S. Supreme Court denied his petition for a writ of *certiorari* in October 2003.

As you are aware, the judiciary interprets the laws and applies them to the matters at issue in each case. The District of Columbia Court of Appeals has responsibility for regulating the legal profession in the District of Columbia, including the reinstatement of disbarred attorneys. Mr. Borders's petitions have been decided by the Court of Appeals in the proper exercise of that responsibility, and he sought redress of the 2002 denial in the proper forum, the U.S. Supreme Court. As Attorney General Holder said in his 2009 letter to you, the Department of Justice does not have the authority to investigate decisions of either the District of Columbia Court of Appeals or the U.S. Supreme Court, or to direct the courts to take particular action in a given case.

Thank you for writing to the President.

Sincerely,

Ronald L. Rodgers
Pardon Attorney